



**MONTANA  
ADMINISTRATIVE  
REGISTER**



**ISSUE NO. 7 – APRIL 11, 2025**

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**OTHER**

- None



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**TRANSPORTATION**

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**NOTICE OF PROPOSED RULEMAKING**

**MAR NOTICE NO. 2025-87.1**

**Summary**

ARM 18.8.1502, 18.8.1503, and 18.8.1505 are revised annually to adopt the most current published federal motor carrier safety regulations (49 CFR parts 373-399), ensuring MDT compliance with commercial vehicle safety in accordance with the federal motor carrier safety regulations as listed in 61-10-154, MCA.

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**No Hearing Scheduled**

If the agency receives requests for a public hearing on the proposed rulemaking from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed rulemaking; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register.

The estimated number of persons directly affected by the proposed rulemaking is 949, based on the current 9,485 active USDOT accounts based in Montana.

**Comments**

Comments must be received by Friday, May 9, 2025, at 5:00 p.m.

## Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Friday, May 2, 2025, at 5:00 p.m.

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## Contact

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## Rulemaking Actions

### AMEND

The rules proposed to be amended are as follows, stricken matter interlined, new matter underlined:

### 18.8.1502 FEDERAL MOTOR CARRIER SAFETY RULES AND STATE MODIFICATIONS

- (1) Any commercial motor vehicle or motor carrier subject to regulation by the department under 61-10-154, MCA, shall comply with and the department adopts by reference the following portions of the Federal Motor Carrier Safety Regulations of the U.S. Department of Transportation, subject to the provisions of (2). The regulations adopted are 49 CFR part 373, 49 CFR part 375, 49 CFR parts 377 through 379, 49 CFR part 382, 49 CFR part 383, 49 CFR part 385, 49 CFR part 386 subpart F – Injunctions and Imminent Hazards, 49 CFR part 387, 49 CFR parts 390 through 399, and Appendix G to subchapter B of chapter III, Title 49 of the Code of Federal Regulations, as updated through ~~April 25, 2024~~ March 26, 2025. Copies of the regulations may be obtained from the U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401-0001, or at [www.gpo.gov](http://www.gpo.gov).
- (2) remains the same.

**Authorizing statute(s):** 61-10-155, MCA

**Implementing statute(s):** 61-10-141, 61-10-154, MCA

### **Reasonable Necessity Statement**

The proposed amendment is necessary to adopt any federal motor carrier safety regulations adopted, amended, or repealed by the Federal Motor Carrier Safety Administration between April 1, 2024 and April 1, 2025, thereby ensuring MDT's administrative rule associated with transportation of commercial vehicle safety substantially complies with the federal motor carrier safety regulations as listed in 61-10-154, MCA. The changes may be viewed at <https://bit.ly/4aymCQe>.

### **18.8.1503 TRANSPORTATION OF HAZARDOUS MATERIALS**

- (1) A commercial motor vehicle, motor carrier, or hazardous materials shipper shall comply with and the department adopts by reference the following federal regulations of the U.S. Department of Transportation concerning the transportation of hazardous materials: 49 CFR part 107, 49 CFR part 171, 49 CFR part 172, 49 CFR part 173, 49 CFR part 177, 49 CFR part 178, and 49 CFR part 180. The regulations adopted may be found in the Code of Federal Regulations, Title 49, chapter I, subchapters B and C, as updated through ~~April 25, 2024~~ March 26, 2025. Copies may be obtained from the U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401-0001, or at [www.gpo.gov](http://www.gpo.gov).

**Authorizing statute(s):** 61-10-155, MCA

**Implementing statute(s):** 61-10-154, MCA

### **Reasonable Necessity Statement**

The proposed amendment is necessary to adopt any federal motor carrier safety regulations adopted, amended, or repealed by the Federal Motor Carrier Safety Administration between April 1, 2024 and April 1, 2025, thereby ensuring MDT's administrative rule associated with transportation of hazardous materials substantially complies with the federal hazardous materials regulations as listed in 61-10-154, MCA.

### **18.8.1505 SAFETY INSPECTION PROGRAM: PURPOSE AND OUT-OF-SERVICE CRITERIA**

- (1) remains the same.
- (2) In addition to the federal regulations adopted in ARM 18.8.1502, the safety inspection program will follow Commercial Vehicle Safety Alliance (CVSA), North American Standard Out-of-Service Criteria (April 1, 2024 2025), incorporated by

reference. A copy of the North American Standard Out-of-Service Criteria may be obtained from the Commercial Vehicle Safety Alliance, 6303 Ivy Lane, Suite 310, Greenbelt, MD 20770-6319 or at [www.cvsa.org](http://www.cvsa.org).

(3) remains the same.

**Authorizing statute(s):** 61-10-155, MCA

**Implementing statute(s):** 61-10-154, MCA

### **Reasonable Necessity Statement**

The proposed amendment is necessary to adopt the most current CVSA (Commercial Vehicle Safety Alliance) North American Uniform "Out-of-Service" criteria. The 2025 changes to the CVSA may be viewed at <http://cvsa.org/wp-content/uploads/OOSC-Changes-Letter.pdf>.

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### **Small Business Impact**

Pursuant to 2-4-111, MCA, the department has determined that the rule changes proposed in this notice will not have a significant and direct impact upon small businesses.

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### **Tribal Impact**

With regard to the requirements of 2-15-142, MCA, the department has determined that the amendment of the above-referenced rules will not have direct tribal implications.

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### **Bill Sponsor Notification**

The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

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### **Interested Persons**

The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be mailed or delivered to the contact person above or may be made by completing a request form at any rules hearing held by the department.

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**Rule Reviewer**

Valerie A. Balukas

**Approval**

Lawrence Flynn, Deputy Director



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**DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES**

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**NOTICE OF ADOPTION**

**MAR NOTICE NO. 37-1095**

**Summary**

Repeal of ARM 37.47.1001, 37.47.1005, 37.47.1008, 37.47.1015, 37.47.1020, and 37.47.1021 pertaining to the battered spouses and domestic violence program

**Previous Notice(s) and Hearing Information**

On December 20, 2024, the Department of Public Health and Human Services published MAR Notice No. 37-1095 pertaining to the proposed repeal of the above-stated rules at page 2612 of the 2024 Montana Administrative Register, Issue Number 24.

No requests for a public hearing were received by the date set forth in the proposal notice. Accordingly, no hearing on MAR Notice No. 37-1095 was held.

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**Final Rulemaking Action – Effective April 12, 2025**

**REPEAL**

The department has repealed the following rules as proposed:

**37.47.1001 DEFINITIONS**

**37.47.1005 DEPARTMENT ADMINISTRATIVE POLICIES AND RESPONSIBILITIES**

**37.47.1008 AWARDING GRANTS, CRITERIA**

**37.47.1015 GRANT APPLICATION, ELIGIBILITY REQUIREMENTS**

**37.47.1020 GRANT APPLICATION, GENERAL REQUIREMENTS**

## **37.47.1021 GRANT APPLICATION, CONTENT REQUIREMENTS**

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### **Statement of Reasons**

No comments were received.

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### **Contact**

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### **Rule Reviewer**

Mark Prichard

### **Approval**

Charles T. Brereton, Director  
Department of Public Health and Human Services